

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WYOMING VALLEY FRATERNAL  
ORDER OF POLICE d/b/a HOME  
ASSOCIATION LODGE #36,

Plaintiff,

v.

SELECTIVE INSURANCE  
COMPANY OF THE SOUTHEAST  
AND STOCK INSURANCE  
COMPANY,

Defendants.

NO. 3:18-CV-2270

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 14<sup>th</sup> day of February, 2019, **IT IS HEREBY ORDERED** that:

- (1) Defendants' Motion to Dismiss Count II of the Complaint (Doc. 2) is **GRANTED**.
- (2) Plaintiff's bad faith claim in Count II of the Complaint is **DISMISSED without prejudice** to Plaintiff filing an amended complaint within **twenty-one (21) days** from the date of entry of this Order to plead a plausible bad faith claim.
- (3) Failure to timely file an amended complaint will result in the dismissal of the bad faith claim **with prejudice**.

/s/ A. Richard Caputo  
\_\_\_\_\_  
A. Richard Caputo  
United States District Judge